

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AKORN HOLDING COMPANY LLC,
*et al.*¹

Debtors.

Chapter 7

Case No. 23-10253 (KBO)
(Jointly Administered)

Re: D.I. [44](#), [157](#), [158](#)

**CERTIFICATION OF COUNSEL REGARDING SUBMISSION OF REVISED ORDER
AND SUPPLEMENTAL DECLARATIONS REGARDING TRUSTEE'S APPLICATION
FOR APPROVAL OF RETENTION OF GREENHILL & CO., LLC
AS INVESTMENT BANKER AND FOR RELATED RELIEF**

I, John T. Carroll, III, counsel to George L. Miller in his capacity as the chapter 7 trustee (the “Trustee”) for the estates (the “Estates”) of the above-captioned debtors (the “Debtors”), hereby certifies the following:

1. On or about March 22, 2023 the Trustee filed the *Trustee's Application for Approval of Retention of Greenhill & Co., LLC as Investment Banker and for Related Relief* [Doc. No. 44] (the “Application”).

2. Since filing the Application, Trustee's counsel received certain informal comments to the Application from the Office of the United States Trustee (the “OUST”) wherein the OUST requested certain modifications to the proposed Order approving the Applications together with the filing of the Supplemental Declarations referenced below in support of the Application (the “OUST Comments”).

¹ The Debtors in these chapter 7 cases, along with the last four digits of their federal tax identification numbers, and cases numbers are Akorn Holding Company LLC (9190), Case No. 23-10253 (KBO); Akorn Intermediate Company LLC (6123), Case No. 23-10254 (KBO); and Akorn Operating Company LLC (6184), Case No. 23- 10255. The Debtors' headquarters is located at 5605 CenterPoint Court, Gurnee, IL 60031.

3. The Trustee has proceeded to file the Supplemental Declaration of Neil A. Augustine the Vice Chairman and Co-Head of North American Financing Advisory and Restructuring at Greenhill & Co., LLC [Doc. No. 157] (the “Greenhill Declaration”), a copy of which is attached hereto as Exhibit “A”.

4. Additionally, the Trustee has also proceeded to file the Declaration of George L. Miller in Support of Trustee’s Application for Approval of Retention of Greenhill & Co., LLC as Investment Banker and for Related Relief [Doc. No. 158] (the “Trustee’s Declaration”), a copy of which is attached hereto as Exhibit “B”.

5. Trustee’s counsel has modified to the proposed Order to the Application to include the OUST Comments and the modifications are acceptable to the OUST, a copy of which is attached hereto as Exhibit “C” (the “Revised Order”).

6. A redlined version of the Revised Order against the version as originally filed with the Application is attached hereto as Exhibit “D”.

7. Other than the OUST Comments which have been resolved, no answer, objection or other responsive pleading to the Application has been filed or received by the Trustee.

8. Accordingly, the Trustee respectfully requests entry of the Revised Order attached hereto as Exhibit “C”, if acceptable to the Court, at the earliest convenience of the Court.

Dated: May 8, 2023
Wilmington, Delaware

COZEN O'CONNOR

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